

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR TUESDAY, SEPTEMBER 4, 2018

1:00 P.M. SESSION

MC D A RU PR

BENCH POSITION: RUMSEY, J., DEVINE, J., MCCARTHY, J.P., AARONS, J., PRITZKER, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

Calendar No.	Case No.	Title	Time Allocated
(1)	522910	HE v XU <i>Appellant</i> - Xiaoling Shirley He [Pro se] <i>Respondent</i> - Xiaokang Xu [Pro se]	10 SUB
(2)	525795	CITY OF ALBANY v NORMANSKILL CREEK <i>Appellant</i> - Terry Rice, Esq. (Town of Bethlehem) <i>Respondent</i> - David A. Gonzalez, Esq. William Kelly, Corporation Counsel (City of Albany) <i>Respondent</i> - Nicholas P. Hurzeler, Esq. Lewis, Brisboise et al. (R. J. Valente Gravel)	10 05 05
(3)	109939	PEOPLE v BRYAN C. McDONALD <i>Appellant</i> - John A. Cirando, Esq. D.J. & J.A. Cirando, Esqs. (Bryan C. McDonald) <i>Respondent</i> - Matthew L. Peabody, Esq.	10 SUB
(4)	526321	MATTER OF HARVEY v ZONING BD. OF APPEALS OF CITY OF KINGSTON <i>Appellant</i> - Warren S. Replansky, Esq. Warren S. Replansky PC (Hillary Harvey et al.) <i>Respondent</i> - Daniel Gartenstein, Esq. Kevin R. Bryant, Corporation Counsel (Zoning Bd. of Appeals of the City of Kingston et al.) <i>Respondent</i> - Ronald S. Pordy, Esq. (The Irish Cultural Ctr. of Hudson Valley)	10 05 05
(5)	525360	MATTER OF NATIONAL ENERGY MARKETERS ASSN. v NEW YORK STATE PUB. SERV. COMM. <i>Appellant</i> - Jason C. Cyrulnik, Esq. Boies Schiller & Flexner LLP (National Energy Marketers Assn.) <i>Respondent</i> - D. Scott Bassinson, Esq. John J. Sipos, Acting General Counsel (Public Service Comm.) Judith N. Vale, Esq. - Amicus Curiae	10 10

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Calendar No.	Case No.	Title	Time Allocated
(6)	108696	PEOPLE v LYNN E. HATCH <i>Appellant</i> - John A. Cirando, Esq. [Assigned] (Lynn E. Hatch) <i>Respondent</i> - Elizabeth S. Healy, Esq. William G. Gabor, Madison County District Attorney	10 10
(7)	525804	WILEY v MARJAM SUPPLY CO. <i>Appellant/Respondent</i> - Michael E. Kolb, Esq. Mainetti, Mainetti & O'Connor (Nicholas Wiley) <i>Respondent/Appellant</i> - Ryan Bannon, Esq. Law Offices of Craig Curcio (The Rocker II Drywall) <i>Respondent</i> - M. Randolph Belkin, Esq. Shantz & Belkin (Libolt & Sons et al.) <i>Respondent</i> - Christopher J. Turpin, Esq. Cartafalsa, Slattery et al. (Marjam Supply Co. et al.)	10 05 05 05
(8)	525026	MATTER OF MAERZ v MAERZ	SUB
(9)	524965	MATTER OF PIKE v BIGELOW <i>Appellant</i> - Noreen McCarthy, Esq. [Assigned] (Amie Bigelow) <i>Respondent</i> - Rebecca L. Fox, Esq. [Assigned] <i>Attorney for Child</i> - Reginald H. Bedell, Esq.	10 SUB SUB
(10)	109170	PEOPLE v ANDRE R. ALLEN	SUB
(11)	108845	PEOPLE v JEFFREY A. SAVOY	SUB
(12)	525995	MATTER OF GREEN v KIRKPATRICK	SUB
(13)	525148	MATTER OF TORRES v ST. LUKES ROOSEVELT HOSP.	SUB
(14)	525874	MATTER OF SCOBIE v ZIMMERMAN	SUB
(15)	525552	MATTER OF O'CONNOR v CUTTING	SUB